

REMARKS

This amendment is in response to the Advisory Action Before the Filing of an Appeal Brief dated November 9th, 2007, and to the Final Office Action dated June 17, 2005 ("Office Action").

Examiner asserted that the previous response filed July 15, 2007 did not place the application in condition for allowance, due to apparent inconsistencies between the claims and response. Specifically, claims 6-20 were not canceled and no terminal disclaimer was filed, contrary to the assertions in the response. Applicants have now corrected the aforementioned inconsistencies, as discussed in further detail below.

Claims 3, 6, and 10 have been amended and claims 1-2, 4-5 and 13-20 have been canceled. Claims 3 and 6-12 remain pending.

Objections

Examiner objected to claim 3 for being dependent on a rejected claim. Examiner noted that claim 3 would be allowable if rewritten in independent form and upon the filing of a terminal disclaimer.

Applicants have responded as Examiner suggested, filing a terminal disclaimer herewith and amending claim 3 so that it is in independent form.

§112, first paragraph - Enablement

Claims 1-2 and 4-20 were rejected by Examiner under 35 U.S.C. §112, first paragraph, for allegedly not enabling a method of diagnosing or predicting susceptibility to any autoimmune disease associated with a 2-2-4 haplotype at Notch 4, HSP70-HOM and D6S273 by detecting the presence of the 2-2-4 haplotype, or a method of diagnosis or predicting susceptibility to Crohn's disease by detecting a disease associated haplotype or an allele associated with the 2-2-4 haplotype.

Applicants have canceled claims 1-2, 4-5 and 13-20, making Examiner's rejection moot with regard to those claims.

Applicants have presently amended claim 6, so that the claim depends from claim 3, rather than claim 1. Claims 7-9 depend from claim 6. Thus, Applicants respectfully submit that Examiner's rejection of claims 6-9 should be withdrawn.

Similarly, Applicants have presently amended claim 10, so that the claim depends from claim 3, rather than claim 1. Claims 11 and 12 depend from claim 10. Thus, Applicants respectfully submit that Examiner's rejection of claims 10-12 should be withdrawn.

§112, first paragraph – Written Description

Claims 13-20 were rejected by Examiner under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement. Examiner asserted that methods of diagnosis or predicting susceptibility to Crohn's disease by detecting a disease associated haplotype associated or an allele associated with the 2-2-4 haplotype is not sufficiently described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention.

Applicants have canceled claims 13-20, making Examiner's rejection moot.

Double Patenting

Examiner rejected claims 1-3 and 5-12 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent No. 6,376,176.

Applicants have canceled claims 1-2 and 5, thus making the double patenting rejection moot for those claims. Applicants have also filed a terminal disclaimer submitted herewith, thus addressing Examiner's double patenting rejection for claims 3 and 6-12.

All of the claims remaining in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. If questions remain regarding this application, the Examiner is invited to contact the undersigned at (213) 633-6800.

Respectfully submitted,
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